IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6959 OF 2005

Smt. Kamal @ Shila Shyamrao Ghatage ..Petitioners.
and others.

Versus

Suhas Ramchandra Tendulkar & Ors. ..Respondents.

Mr. V.A Sugdare for the Petitioners.
Mr. M.H.Solkar, AGP for the Respondent No.20.

CORAM : S. A. BOBDE, J.
DATED : 13TH OCTOBER, 2005.

P.C.:

1. By this petition the petitioners have challenged the order of the Additional Commissioner, Konkan Divn., Mumbai, refusing to interfere with the order of the Sub-Divisional Officer, who dis-allowed the petitioner's appeal after a period of about 60 to 61 years.

2. The petitioners preferred an appeal in respect of mutation entry No.707, which was taken on 15.07.1940 and certified on 04.05.1941. This mutation entry was challenged by the petitioners for the first time before the Sub-Divisional Officer, Alibag by way of filing R.T.S. Appeal No. 55/2001 on 03.09.2001. The learned Additional Commissioner has rightly taken cognizance of the inordinate delay in challenging the

mutation entry and has confirmed the order of the Sub-Divisional Officer, who rejected the petitioners' appeal which was filed after about 60 to 61 years. There is no reason whatsoever to interfere with this finding. In any case it is settled law that mutation entries are made only for fiscal purpose and do not affect title in the property.

3. The petition is, therefore, dismissed.

DT. 13.10.05 (S.A.BOBDE,J)

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